

Appl. No. 10/675,049
Amdt. dated 12/11/06
Reply to Office action of 8/11/06

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REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 1-13, 15 and 17-24 are now in the application. Claims 13, 15 and 17-20 are subject to examination and claims 1-12 and 21-24 have been withdrawn from examination. Claims 1, 13, 17 and 24 have been amended. Claim 16 has been canceled. No claims have been added.

In "Claim Rejections - 35 USC § 112" on pages 2 and 3 of the above-identified Office Action, claims 18 and 19 have been rejected as introducing new matter under 35 U.S.C. § 112, first paragraph.

More specifically, the Examiner states that the phrases "wherein said process gas flow is unobstructed in said process space" in claim 18 and "wherein said process space has no obstructions or guides therein for said process gas flow" in claim 19, represent new matter.

The Examiner has stated that such phrases are not supported in the Specification. However, the disclosure of the instant application, as filed, which includes the drawings, certainly does support the lack of obstructions or guides in the process space. It can easily be seen from Fig. 1 of the

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instant application that the process space 3 is unobstructed and has no obstructions or guides therein.

If the Examiner would like to have literal support in the Specification, Counsel would agree to an amendment, such as by adding a sentence after the period in line 14 on page 27 of the Specification of the instant application stating "The process space 3 is unobstructed, that is it has no obstructions or guides therein for the process gas flow." Such an amendment could be made by Examiner's Amendment.

It is accordingly believed that the claims meet the requirements of 35 U.S.C. § 112, first paragraph.

Although no rejections of the claims over the prior art have been mentioned in the Office Action, since the Office Action Summary states that claims 13-17 are rejected, it is assumed that the rejection of the claims from the previous Office Actions has been repeated.

The courtesy of Examiner Le in discussing this application three time since the issuance of the Office Action, is appreciated. During one of those conversations, the Examiner indicated that the addition of the subject matter of claim 16 to claims 1, 13 and 24 would place all of the claims in

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condition for allowance. Therefore, such an amendment has been made.

Although claims 1-12 and 21-24 have been withdrawn from examination, the addition of the allowable subject matter into claims 1 and 24, as well as claim 13, should lead to rejoinder of the withdrawn claims under MPEP 821.04.

In view of the foregoing, reconsideration and allowance of claims 1-13, 15 and 17-24, are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out. In the alternative, the entry of the amendment is requested, as it is believed to place the application in better condition for appeal, without requiring extension of the field of search.

Petition for extension is herewith made. The extension fee for response within a period of one month pursuant to Section 1.136(a) in the amount of \$120.00 in accordance with Section 1.17 is enclosed herewith.

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Please charge any other fees that might be due with respect
to Sections 1.16 and 1.17 to Deposit Account Number 12-1099
of Lerner Greenberg Sterner LLP.

Respectfully submitted,


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LAG/lq

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